

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff(s),

vs.

INTELIGENTRY, LTD., et al.,

Defendant(s).

2:13-cv-00344-RFB-NJK

ORDER

(Docket No. 190)

Presently before the Court is Defendant John Rohner's Motion to Provide a Court Order to Provide Banking Records and Business Records for Michael G. Girouard, Unity International and All Others Associated with Same. Docket No. 190. The Court has considered Defendant's motion, Plaintiff's opposition, and Defendant's response. Docket Nos. 190, 199, 205. The Court finds that this motion is appropriately resolved without oral argument. *See* Local Rule 78-2.

BACKGROUND

On March 28, 2014, *pro se* Defendant John Rohner filed his Motion to Provide a Court Order to Provide Banking Records and Business Records for Michael G. Girouard, Unity International and All Others Associated with Same. Docket No. 190. Rohner is requesting the Court to release "all records from any financial institution associated or belonging to Michael G. Girouard and his businesses and his Unity International business from January 1, 2009 to current." *Id.*, at 1. Rohner represents that this information will be necessary if PlasmERG, Inc. (Nevada) is liable as successor in interest for the activities of PlasmERG, Inc. (Iowa). *Id.*, at 3-4.

...

Defendant Rohner has not indicated under what rule or authority he believes the Court should act. If Rohner is requesting that the Court compel the SEC to produce additional documentation under Rule 37, he has not shown that there is an outstanding discovery request and that he properly met and conferred with the SEC prior to bringing his motion. *See* Fed.R.Civ.P. 37(a)(2)(B); LR 26-7(b); *ShuffleMaster, Inc. v. Progressive Games, Inc.*, 170 F.R.D. 166, 171 (D. Nev. 1996). Pursuant to Local Rule 7-2(d), “[t]he failure of a moving party to file points and authorities in support of the motion shall constitute a consent to the denial of the motion.” The Court has previously warned Rohner that such a failure may result in a denial of the motion. *See* Docket No. 113, at 3. Accordingly, as the Court cannot identify under what authority Rohner is requesting relief in the present motion, his motion is denied.

Based on the foregoing, and good cause appearing therefore,

IT IS HEREBY ORDERED that Defendant John Rohner's Motion to Provide a Court Order to Provide Banking Records and Business Records for Michael G. Girouard, Unity International and All Others Associated with Same (Docket No. 190) is **DENIED**.


NANCY J. KOPPE
United States Magistrate Judge